

FILED

NOV - 1 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BINGHAM McCUTCHEN LLP  
DAVID M. BALABANIAN (SBN 37368)  
CHRISTOPHER B. HOCKETT (SBN 121539)  
JOY K. FUYUNO (SBN 193890)  
Three Embarcadero Center  
San Francisco, CA 94111-4067  
Telephone: (415) 393-2000  
Facsimile: (415) 393-2286

Attorneys for Defendant  
Intel Corporation

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

LAWRENCE LANG, on behalf of himself and  
all others similarly situated,

Plaintiff,

v.

INTEL CORPORATION, a Delaware  
corporation,

Defendant.

No. C-05-2957-MHP

**STIPULATION AND ~~PROPOSED~~  
ORDER TO STAY DATES, EVENTS  
AND DEADLINES PENDING THE  
OUTCOME OF THE MOTION TO  
TRANSFER AND COORDINATE OR  
CONSOLIDATE PURSUANT TO  
28 U.S.C. § 1407**

WHEREAS, on July 20, 2005, Plaintiff filed the instant action in the Northern  
District of California ("Lang Action");

WHEREAS, on or about July 11, 2005, the plaintiffs in *Brauch, et al. v. Intel  
Corp.*, No. C 05-2743 (BZ) (N. D. Cal., filed July 5, 2005), a related matter, moved before the  
Judicial Panel on Multi-District Litigation ("MDL"), to transfer and coordinate or consolidate for  
pre-trial proceedings pursuant to 28 U.S.C. § 407 ("MDL Motion"), and the Lang Action has  
been identified as a related action subject to that motion;

1 WHEREAS, on or about July 27, 2005, Judge Patel issued a Related Case Order  
2 relating this case to an earlier filed case assigned to her, and canceling or staying certain but not  
3 all dates, events and deadlines in the action;

4 WHEREAS, to date, a decision has not been rendered on the MDL Motion;

5 WHEREAS, the outcome of the MDL Motion will impact significantly the  
6 schedule of this case;

7 THEREFORE, IT IS HEREBY STIPULATED, pursuant to Civil Local Rule 6-2,  
8 by and among counsel for Plaintiff Lang, and counsel for Defendant Intel Corporation, that any  
9 events, dates or deadlines set by the Local Rules or Federal Rules of Civil Procedure, including  
10 the Local Rules for Alternative Dispute Resolution ("ADR Local Rules") and Federal Rules of  
11 Civil Procedure 16 and 26, and any deadlines established in any case management order  
12 applicable to this case should be stayed pending the outcome of the aforementioned MDL  
13 Motion; and

14 IT IS FURTHER STIPULATED by the aforementioned parties that if a case  
15 management conference is rescheduled by the Court, the parties shall adjust the dates for any  
16 conference, disclosures or reports required by the Local Rules or Federal Rules of Civil  
17 Procedure, including the ADR Local Rules and Federal Rules of Civil Procedure 16 and 26  
18 accordingly.

19 IT IS HEREBY STIPULATED.

20 Dated: October 28, 2005

TRUMP, ALIOTO, TRUMP & PRESCOTT

21  
22 By: /s/ Mario N. Alioto  
23 Mario N. Alioto  
24 Attorneys for Plaintiff  
25 Lawrence Lang  
26

1 Dated: October 28, 2005

BINGHAM McCUTCHEN LLP

2  
3 By: /s/ Joy K. Fuyuno  
4 Joy K. Fuyuno  
Attorneys for Defendant  
Intel Corporation

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**[PROPOSED] ORDER TO STAY DATES, EVENTS AND DEADLINES  
PENDING THE OUTCOME OF THE MDL MOTION**

Any events, dates or deadlines set by the Local Rules or Federal Rules of Civil Procedure, including the Local Rules for Alternative Dispute Resolution ("ADR Local Rules") and Federal Rules of Civil Procedure 16 and 26, and any deadlines established in any case management order applicable to this case are hereby stayed pending the outcome of the motion to transfer and coordinate or consolidate pursuant to 28 U.S.C. § 1407 ("MDL Motion").

Upon the determination of the MDL Motion, if it is necessary for the Court to reschedule a case management conference, the parties shall adjust the dates for any conference, disclosures or reports required by the ADR Local Rules and Federal Rules of Civil Procedure 16 and 26 accordingly.

The parties shall notify the Clerk of Court within 10 days of the decision on the MDL Motion.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

  
\_\_\_\_\_  
Honorable Marilyn H. Patel  
United States District Court Judge